

COMMISSION ON JUDICIAL SELECTION

APPLICATION

**NEVADA SUPREME COURT
SEAT G**

By

Paul Gordon Taggart
(Insert applicant name)



COMMISSION ON JUDICIAL SELECTION
CERTIFICATION, WAIVER OF CONFIDENTIALITY AND RELEASE OF
INFORMATION

I hereby certify that the answers and information provided herewith are true and correct to the best of my knowledge. PT (initial)

I hereby certify that I meet the minimum qualifications to be a Supreme Court Justice as set forth in NRS 2.020. PT (initial)

I authorize any person or custodian of records, including, without limitation, the Commission on Judicial Discipline; the Department of Public Safety, Records and Identification Services; the Federal Bureau of Investigation; the Supreme Court of Nevada, Office of the Clerk; any credit reporting agency utilized by the Commission, and the State Bar of Nevada to release to the Commission on Judicial Selection any and all information that may be available concerning me. PT (initial)

I hereby release and discharge the Nevada Commission on Judicial Selection (Commission), its individual members, as now or hereafter constituted, and any other entity and/or individual(s) authorized herein to provide information to the Commission, of and from any and all claims, demands, liability and damages arising out of the release and use of such information concerning me, the undersigned, on file or otherwise available with any of the said entities and/or individuals. PT (initial)

Should I be favorably considered, I will accept appointment to the Court indicated. PT (initial)

Paul Taggart
Signature of Applicant

9/9/16
Date

PAUL TAGGART
Printed Name of Applicant

STATE OF NEVADA)
COUNTY OF Carson City) ss.

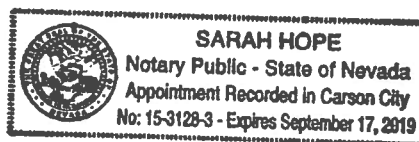
The undersigned, upon oath, deposes and states as follows: That (s)he is the person whose signature appears herein above on the instrument entitled "Application", that (s)he has read the same and is aware of the contents thereof; that the same is true and correct according to the best knowledge and belief of the undersigned; and that (s)he executed the same freely and voluntarily, and for the purpose of inducing the Nevada Commission on Judicial Selection to give favorable consideration to this Application for judicial office.

Paul D. Taggart
Signature of Applicant

PAUL TAGGART
Printed Name of Applicant

SUBSCRIBED and SWORN to before me this 9th of September, 2016

[Signature]
Notary



**SECTION I: PUBLIC INFORMATION
(QUESTIONS 1 THROUGH 47)**

Personal Information

1. Full Name:

Paul Gordon Taggart

2. Have you ever used or been known by any other legal name (including a maiden name)? If so, state name and reason for the name change and years used.

No.

3. Work Address:

108 North Minnesota Street
Carson City, NV 89703.

4. How long have you been a continuous resident of Nevada?

21 years.

5. Age:

50 years old.

(NRS 2.020 states that a Supreme Court justice must be at least 25 years old.)

Employment History

6. Using the format provided in Attachment "A" please start with your current employment or most recent employment, self-employment, and periods of unemployment for the 20 years immediately preceding the filing of this Application.

Educational Background

7. List names and addresses of high schools, colleges and graduate schools (other than law school) attended; dates of attendance; certificates or degrees awarded; reason for leaving.

Lynbrook High School
1280 Johnson Avenue
San Jose, CA 95129

Sept. 1980 – Jan. 1984
Water Polo – Team Captain
Swim Team

De Anza Junior College
21250 Stevens Creek Blvd.
Cupertino, CA 95014

Jan. 1984 – June 1984

Sacramento City College
3835 Freeport Blvd.
Sacramento, CA 95822

Sept. 1984 – May 1985

California State University, Sacramento
6000 J Street, Sacramento, CA 95819
B.A. in Economics

Sept. 1985 – Jan. 1989

1. Describe significant high school and college activities including extracurricular activities, positions of leadership, special projects that contributed to the learning experience.

After moving from Massachusetts to San Jose, California, I completed a difficult transition by playing water polo, and become captain of the team in my sophomore year, and being on the swim team.

2. List names and addresses of law schools attended; degree and date awarded; your rank in your graduating class; if more than one law school attended, explain reason for change.

McGeorge School of Law
University of the Pacific
3200 5th Avenue
Sacramento, CA 95817

J.D., *with distinction* in 1994
Rank: 7 of 97
Order of the Coif

3. Indicate whether you were employed during law school, whether the employment was full-time or part-time, the nature of your employment, the name(s) of your employer(s), and dates of employment.

I went to night school and was employed full time for the first three years of that four year period. I worked as redevelopment planner for the Sacramento Housing and Redevelopment Agency (1989 – 1990, 1992-1993), and as a land use planner for the County of Sacramento (1990-1992). In the fourth year of law school I worked as a legal extern for the United States Department of Interior (1993-1994).

4. Describe significant law school activities including offices held, other leadership positions, clinics participated in, extracurricular activities.

President, Evening Division, Student Government
Legal Extern, United States Department of Interior, Solicitor's Office
Legal Extern, United States District Court, Judge James Ware
Research Assistant, Professor Stephen McCaffrey, McGeorge School of Law.

Law Practice

5. State the year you were admitted to the Nevada Bar.

1996

13. Name states (other than Nevada) where you are or were admitted to practice law and your year of admission.

California, 1994.

14. Have you ever been suspended, disbarred, or voluntarily resigned from the practice of law in Nevada or any other state? If so, describe the circumstance, dates, and locations.

No.

15. Estimate what percentage of your work over the last 5 years has involved litigation matters, distinguishing between trial and appellate courts. **For judges**, answer questions 16-20 for the 5 years directly preceding your appointment or election to the bench.

50% - Administrative Hearings before the State Engineer
20% - State and Federal District Court
15% - Nevada Supreme Court, Ninth Circuit Court of Appeals

16. Estimate percentage of time spent on (1) domestic/family and juvenile law matters, (2) civil litigation, (3) criminal matters, and (4) administrative litigation.

(1): 2.5%
(2): 20%
(3): 0%
(4): 77.5%

17. In the past 5 years, what percentage of your litigation matters involved cases set for jury trials vs. non-jury trials?

Non-jury trials: 85%
Jury trials: 15%

18. Give the approximate number of jury cases tried to a conclusion during the past 5 years with you as lead counsel. Give the approximate number of non-jury cases tried to a decision in the same period.

Non-jury trials: 0%

Jury trials: 0%

*Does not include administrative cases that were tried to decision before Nevada State Engineer.

19. List courts and counties in any state where you have practiced in the past 5 years.

Nevada: Carson City, Churchill County, Clark County, Douglas County, Elko County, Esmeralda County, Eureka County, Humboldt County, Lander County, Lincoln County, Lyon County, Mineral County, Nye County, Pershing County, Storey County, Washoe County and White Pine County

California: Alpine County and Nevada County

20. List by case name and date the five cases of most significance to you (not including cases pending in which you have been involved), and list or describe:

My caseload consists of water cases that have been pending for many years. The following cases were resolved some time ago but do not reflect my activities in the past five years.

Farmers Against Curtailment Order ("FACO") v. State Engineer (2015 and 2016) – In two successive years, the State Engineer attempted to curtail the use of water supplies in the Yerington area. I represented a group of farmers that would have lost their right to pump groundwater during 2015 and 2016. The groundwater was a drought supply that was critical because surface water supplies were not available. FACO won each case before Judge Aberasturi.

United States v. Orr Water Ditch (2008) – This action was brought before Judge Lloyd George in federal court to modify the water rights decree on the Truckee River. The purpose of the case was to amend the decree because the Truckee River Operating Agreement ("TROA") had been negotiated by many of the major water owners on the Truckee River. TROA created the ability for municipalities to store water upstream, including Fernley, Nevada (my client). After significant litigation in numerous forums, the parties were able to negotiate a settlement. Now the City of Fernley has the right to store water as a drought supply in reservoirs on the Truckee River.

Nevada v. Hibbs (2003) – In this case, I represented the State of Nevada before the United States Supreme Court. The question was whether Nevada's sovereign immunity had been waived by an act of Congress. The case involved issues of national significance.

Nevada v. Hicks (2001) – In this case, I also represented Nevada before the United States Supreme Court, but I seconded chaired this case for Wayne Howle, Chief Deputy Attorney General. The question was whether a state officer could be prosecuted in a tribal court. The challenge of the case was to understand the tension between tribal jurisdiction and state immunity.

United States v. Truckee Carson Irrigation District ("TCID") (2001) – This is referred to as the Recoupment case before Judge Howard McKibben in federal court. The United States sought the recovery of one million acre feet of water from TCID and water users in the Fallon area. I successfully limited the United States from taking water that Nevada's Wildlife Department that was needed for important wildlife and wetland projects.

21. Do you now serve or have you previously served as a mediator, an arbitrator, a part-time or full-time judicial officer, or a quasi-judicial officer? To the extent possible, explain each experience.

No.

22. Describe any pro bono or public interest work as an attorney.

Our firm regularly accepts pro bono cases from Volunteer Lawyers of Rural Nevada ("VARN"). Each attorney that works for me is expected to have one pro bono case, and I oversee their handling of those cases. I also accept pro bono cases myself. Our firm has received numerous awards from VARN for our pro bono activities.

23. List all bar associations and professional societies of which you are or have been a member. Give titles and dates of offices held. List chairs or committees in such groups you believe to be of significance. Exclude information regarding your political affiliation.

Former Board Member, Nevada Board of Bar Examiners
State Bar of Nevada
State Bar of California
First Judicial District Bar Association, Carson City
Washoe County Bar Association
Nevada Water Resources Association
Environmental and Natural Resources Bar Section, Nevada

24. List all courses, seminars, or institutes you have attended relating to continuing legal education during the past 5 years. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge?

Nevada Water Resources Association, Annual Meeting, 2011-2016
Lexis II, 2011
National Ski Area Association, Winter Conferences & Tradeshow, 2012
Ethical Lessons from the Trenches (Time Management & Conflicts), 2012
California Water Law: Mission-Critical, 2012
Nevada Water Law Conference, Co-Chair, 2013
How to Stay out of Trouble with the State Bar, 2013
Advanced Water Rights in Nevada, 2013
What Every Lawyer Should Know About Bankruptcy Law, 2014
Bench and Bar – Substance Abuse and Other Misjudgments, 2014
Digital Age Ethics and Pre-Digital Paradigms, 2014
Nevada Water Resources Association, Fall Symposium, 2014, 2015
Hydrology and the Law, 2015
Transitioning into Practice Program Mentor, 2012 – current

I have complied with all CLE requirements in Nevada and California.

25. Do you have Professional Liability Insurance or do you work for a governmental agency?

I have Professional Liability Insurance.

Business and Occupational Experience

26. Have you ever been engaged in any occupation, business, or profession other than a judicial officer or the practice of law? If yes, please list, including the dates of your involvement with the occupation, business, or profession.

From 1989 to 1993, I was a city planner. I was involved in redevelopment and land use planning. I assisted in the completion of the Sacramento County General Plan, and in the redevelopment of Downtown Plaza in Sacramento.

27. Do you currently serve or have you in the past served as a manager, officer, or director of any business enterprise, including a law practice? If so, please provide details as to:

I am an officer at Taggart & Taggart, Ltd. The business practices law. My duties include representing clients, supervising attorneys and staff, and managing the company. I am also an officer in Everest Holdings, LLC which is a company that owns real estate. I have own both companies with my wife, Sonia, for almost 15 years. Sonia handles the a large part and administration and management of the businesses.

28. List experience as an executor, trustee, or in any other fiduciary capacity. Give name, address, position title, nature of your duties, terms of service and, if any, the percentage of your ownership.

None.

Civic, Professional and Community Involvement

29. Have you ever held an elective or appointive public office in this or any other state? Have you been a candidate for such an office? If so, give details, including the offices involved, whether initially appointed or elected, and the length of service. Exclude political affiliation.

City of Fernley City Attorney, 2003-2009.

30. State significant activities in which you have taken part, giving dates and offices or leadership positions.

Board Member, Nevada Board of Bar Examiners, 2004-2007

Executive Committee, Environmental and Natural Resources Bar Section, Nevada, 2016

Member, Natural Resources Subcommittee on Water, 2014-2016

31. Describe any courses taught at law schools or continuing education programs. Describe any lectures delivered at bar association conferences.

Nevada Water Resources Association, 2016 – Speakeasy discussion of Prior Appropriation System for water rights

Nevada Water Resources Association, Fall Symposium, 2015 – Presentation regarding recent developments in water law

Nevada Water Resources Association, Fall Symposium, 2014 – Presentation regarding Fernley and the Truckee River Operating Agreement

Nevada Water Law Conference, Co-Chair, 2013 – Presentation regarding the formation and adoption of the Truckee River Operating Agreement

National Ski Area Association, Winter Conferences & Tradeshow, 2012 – Presentation regarding federal role in water right ownership at ski resorts

32. List educational, military service, service to your country, charitable, fraternal and church activities you deem significant. Indicate leadership positions.

Board Member – Galilee, Episcopal Camp and Retreat Center, Lake Tahoe

Carson FC – Youth Soccer Coach (2014-2016)

Carson City AYSO – Youth Soccer Coach (2010-2014)

Bethlehem Lutheran School – Youth Basketball Coach (2014-2016)

Carson City Recreational League - Youth Basketball Coach (2013-2016)

33. List honors, prizes, awards, or other forms of recognition.

VARN – Annual award for Pro Bono Activities

34. Have you at anytime in the last 12 months belonged to or do you currently belong to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, creed, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices, and whether you intend to continue as a member if you are selected for this vacancy.

No.

35. List books, articles, speeches and public statements published, or examples of opinions rendered, with citations and dates.

Nevada Lawyer, July, 2016 – Addressing Water Shortages With Prior Appropriation Principles

36. During the past 10 years, have you been registered to vote? Have you voted in the general elections held in those years?

Yes.

37. List any vocational interests and hobbies.

Running, Cycling, Triathlons
Golf
Hiking and Camping

Conduct

38. Have you ever been convicted of or formally found to be in violation of federal, state or local law, ordinance or regulation? Provide details of circumstances, charges and dispositions.

No.

39. Have you ever been sanctioned, disciplined, reprimanded, found to have breached an ethics rule or to have acted unprofessionally by any judicial or bar association discipline commission, other professional organization or administrative body or military tribunal? If yes, explain. If the disciplinary action is confidential, please respond to question 71.

No.

40. Have you ever been dropped, suspended, disqualified, expelled, dismissed from, or placed on probation at any college, university, professional school or law school for any reason including scholastic, criminal, or moral? If yes, explain.

No.

41. Have you ever been refused admission to or been released from any of the armed services for reasons other than honorable discharge? If yes, explain.

No.

42. Has a lien ever been asserted against you or any property of yours that was not discharged within 30 days? If yes, explain.

No.

43. Has any Bankruptcy Court in a case where you are or were the debtor, entered an order providing a creditor automatic relief from the bankruptcy stay (providing in rem relief) in any present or future bankruptcy case, related to property in which you have an interest?

No.

Other

44. If you have previously submitted a questionnaire or Application to this or any other judicial nominating commission, please provide the name of the commission, the approximate date(s) of submission, and the result.

None.

45. In no more than three pages (double spaced) attached to this Application, provide a statement describing what you believe sets you apart from your peers, and explains what particular education, experience, personality or character traits you possess or have acquired that you feel qualify you as a good supreme court justice. In so doing, address both the civil (including family law matters) and criminal processes (including criminal sentencing.)

See attachment: Answer to Question 45.

46. Detail any further information relative to your judicial candidacy that you desire to call to the attention of the members of the Commission on Judicial Selection.

I became a lawyer because I love the law. I enjoy the intellectual challenge of aligning each new case with preceding precedent. I will dedicate all my abilities and talents to carrying forward the law that has been left by our brethren before us.

47. Attach a sample of no more than 10 pages of your original writing in the form of a decision, "points and authorities," or appellate brief generated within the past 5 years, which demonstrates your ability to write in a logical, cohesive, concise, organized, and persuasive fashion.

- - INSERT PAGE BREAK HERE TO START SECTION II
(CONFIDENTIAL INFORMATION) ON NEW PAGE - -

<p style="text-align: center;">Attachment A Employment History</p>
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Please start with your current employment or most recent employment, self-employment, and Periods of unemployment for the last 20 years preceding the filing of this Application.

Current or Last Employer: Taggart & Taggart, Ltd.

Phone Number: (775) 882-9900

Address: 108 North Minnesota Street
Carson City, Nevada 89703

From: Feb. 2003 **To:** Present

Supervisor's Name: Paul G. Taggart

Supervisor's Job Title: Senior Partner

Your Title: Same

Specific Duties: Represent clients in legal matters and supervise attorneys

Reason for Leaving: N/A

Previous Employer: Nevada Attorney General

Phone Number: (775) 687-1100

Address: 100 North Carson Street
Carson City, Nevada 89701

From: Oct. 1997 **To:** Feb. 2003

Supervisor's Name: Wayne Howle

Supervisor's Job Title: Chief Deputy Attorney General

Your Title: Deputy Attorney General

Specific Duties: Represented the State of Nevada before United States Supreme Court.
Represented the Department of Conservation and Natural Resources, Division of Wildlife,
Division of Water Resources, Division of State Lands and Division of Water Planning.
Represented Nevada Secretary of State before Ninth Circuit Court of Appeal.

Reason for Leaving: Start private law practice

<p style="text-align: center;">Attachment A Employment History Continued</p>
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Please start with your current employment or most recent employment, self employment, and periods of unemployment for the last 20 years preceding the filing of this Application.

Previous Employer: Nevada Supreme Court

Phone Number: 684-1700

Address: 201 S. Carson Street
Carson City, Nevada 89703

From: Sept. 1995 **To:** Oct. 1996

Supervisor's Name: Justice C. Clifton Young
Joe Carpenter

Supervisor's Job Title: Justice
Supervising Staff Attorney

Your Title: From September, 1995, to August, 1996, I served as law clerk to Justice Young. From September, 1996, to October, 1997, I served as a supervising staff attorney over the fast track program.

Specific Duties:

As a law clerk, I reviewed appellate briefs, prepared bench memorandum, discussed cases with Justice Young and prepared draft opinions. As law clerk, I also oversaw the development and approval of the fast track program for criminal appeals, and I assisted in the development of the settlement program.

As a staff attorney, I started the fast track program for criminal appeals. I supervised two attorneys in the review and disposition of appeals in that program.

Reason for Leaving: Job at Attorney General's Office